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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,081	05/10/2007	Liangsheng Chen	4502-1067	7699
466 7590 12/12/2007 YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER HO, ANDY	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 12/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/585,081

**Applicant(s)**

CHEN ET AL.

**Examiner**

Andy Ho

**Art Unit**

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is in response to the application filed 6/29/2006.
2. Claims 1-19 have been examined and are pending in the application.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunner U.S Patent No. 5,771,275 in view of Yoshihara U.S Patent No. 6,643,291.

**As to claim 1**, Brunner teaches a method of forming an ad-hoc network (Fig. 1) consisting of:

broadcasting (sending message from 42 to 22; lines 40-59 column 10) from at least a first network interface (42, Fig. 1) on a first network capable device (mobile station 16', line 25 column 4) at least one data packet including a request to join an ad-hoc network (registration of the mobile station to receive services from a different network, lines 40-59 column 10) and a profile of the requesting device (subscriber profile, lines 53-54 column 10),

receiving at a second network interface (22, Fig. 1) on a second network capable device (mobile station 16, lines 38-39 column 3) a request to join an ad-hoc network (registration of the mobile station to receive services from a different network, lines 40-59 column 10);

responding from the second network device to the first network device with a confirmation of receipt (22 sending a message back to 42, lines 53-59 column 10).  
Brunner does not teach a profile of the responding device.

Yoshihara teaches a system of communication between devices of different networks wherein the messages between these devices contain profile information (line 30 column 2 to line 31 column 3). It would have been obvious at the time the invention was made to a person of ordinary skill in the art to have modified Brunner reference to include the teachings of Yoshihara reference because the profile information will provide a requesting device with information of a particular responding device from a different network; therefore the system allows a direct communication between these devices.

**As to claim 2**, Brunner as modified further teaches the initial request to join is further broadcast the from the second network device (lines 8-45 column 9).

**As to claims 3-4**, Yoshihara further teaches the first network device may additionally broadcast or multi-cast packets requesting an identifying response from every network device capable of joining the network and within range wherein the packets adhere to the IP protocol and the range is set by the TTL information of an IP

header (lines 18-60 column 4). Note the discussion of claim 1 above for the reason of combining references.

**As to claims 5-6**, Brunner as modified further teaches the transmitted profile includes an ID unique to the profile, the ID containing information based on the device address and profile includes information on the device user name, the ad-hoc network license identification and the MAC address (line 54 column 7 to line 23 column 8).

**As to claims 7-8**, Brunner as modified further teaches if the network capable device is capable of operating on differing network mediums it transmits packets in all mediums wherein the network mediums include at least one wireless medium (registration of the mobile station to receive services from a different network, lines 40-59 column 10).

**As to claim 9**, Yoshihara further teaches the device is a computer and the presence of responding devices is shown on the computer display (display of PC1, Fig. 2). Note the discussion of claim 1 above for the reason of combining references.

**As to claim 10**, Yoshihara further teaches the presence of a responding device is as an icon on the computer display and wherein operations on the icon can show information on the profile or send a user message to the network device represented by the icon (lines 32-59 column 45). Note the discussion of claim 1 above for the reason of combining references.

**As to claims 11-12**, Yoshihara further teaches the computer may maintain a list of contact-able network devices wherein the list may include an attribute which prevents

display of that network device presence (lines 18-60 column 4). Note the discussion of claim 1 above for the reason of combining references.

**As to claim 13**, Yoshihara further teaches wherein a computer may have more than a single profile (lines 18-60 column 4). Note the discussion of claim 1 above for the reason of combining references.

**As to claim 14**, Yoshihara further teaches the profiles are managed remotely via HTTP (lines 50-65 column 19). Note the discussion of claim 1 above for the reason of combining references.

**As to claims 15-18**, they are apparatus claims of claims 1, 9, 8 and 4, respectively. Therefore, they are rejected for the same reasons as claims 1, 9, 8 and 4 above.

**As to claim 19**, it is apparatus claim of claims 9-10. Therefore, it is rejected for the same reasons as claims 9-10 above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents  
P.O Box 1450  
Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.
- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

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A.H  
December 6, 2007

A handwritten signature in black ink, appearing to read "Ardaylo", with a long horizontal stroke extending to the right.